

REMARKS

Claims 1-8 and 11-20 are pending in this application with claims 1, 2, 8 and 15 being amended and claims 18-20 being added by this preliminary amendment.

Claims 1, 8 and 15 have been amended to further recite first and second windows for display of user selected ones of said plurality of available medical parameters for display in a graphical and tabular format, respectively. These features were previously considered in dependent claim 2 as well as in original independent claim 15. These claims have been further amended to recite that “a user is able to select a first of said medical parameter labels from said menu for display in both said first window and in graphical format and a second of said medical parameter labels from said menu for display in both said second window and in tabular format.” Support for this limitation is found throughout the specification and specifically shown in figures 3A-3D and described in the accompanying description on page 9, line 10-page 10, line 23. Claim 2 has been amended to conform with the amendments to claim 1. New claims 18-20 have been added to recite that “a user is able to select a third of said medical parameter labels from said menu for display in said first window for display in graphical format and said second window for display in tabular format.” Support for these new claims is provided throughout the specification and specifically shown in Figures 3A-3D.

Rejection of Claims 1-5 and 15 under 35 USC § 102(e)

Claims 1-5 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Schoenberg et al. (U.S. Patent No. 6,322,502).

The present claimed invention recites a network compatible configurable user interface system for displaying sequentially generated patient medical parameters and data together with a time indication, for use in identifying a parameter value trend. The system

includes a display menu generator for generating a single customization menu enabling user selection of parameters for display in a first graphical format and in a second tabular format. The customization menu includes a menu containing a set of medical parameter labels representing a corresponding plurality of available medical parameters. The customizable menu also includes a first window for displaying user selected ones of said plurality of available medical parameters for display in a graphical format and a second window for displaying user selected ones of said plurality of available medical parameters for display in a tabular format. The customizable menu further includes parameter selection icons enabling user selection of medical parameter labels from the menu. A user is able to configure a user interface image display by selecting a first of the medical parameter labels from the menu for display exclusively in graphical format and a second of the medical parameter labels from the menu for display exclusively in tabular format. A display generator displays the selected parameters in graphical and tabular format in response to a user command. Independent claims 1, 8 and 15 each disclose features similar to those discussed above and thus all arguments made concerning such features apply to each of these claims.

Schoenberg et al. disclose a medical information system. The system collects data from various sources and displays the information. The information is divided into subsets of data, each subset is associated with a user job function or user department. Schoenberg et al. neither disclose nor suggest “a display menu generator” as in the present claimed invention. Additionally, Schoenberg et al. neither disclose nor suggest “a single customizable menu enabling a user to select parameters for display in a first graphical format and in a second tabular format” as in the present claimed invention. Contrary to the assertions made in the Office Action, Schoenberg et al. actually describe a system whereby the user can select one of four icons and have “one, two, three or four simultaneous displays” of patient information in the cited passage of column 7, lines 22-43 and Figures 2A and 2B. The displays of Schoenberg et al. for each parameter are predefined subsets (see column 7, line 58-Column 8, line 6). Specifically, this passage recites “the display 12

is responsive to display signals to generate an image which shows one selected view from a set of possible view[s] of the data...the various possible views are each associated with a job function of a corresponding set of possible system users.” Thus, Schoenberg et al. neither disclose nor suggest “a single customization menu enabling user selection of parameters” as in the present claimed invention. This passage from Schoenberg et al. describe a system in which a user may select a format for viewing a predefined set of parameters.

Additionally, Schoenberg et al. neither disclose nor suggest a customization menu including “a menu containing a set of menu parameter labels” as in the present claimed invention. Schoenberg et al. also neither disclose nor suggest “parameter selection icons enabling user selection of medical parameter labels from said menu” as in the present claimed invention. Rather, as described in the cited passage in column 7, lines 36-43 and in Figure 2A, Schoenberg et al. display different medical parameter data in tables, each table being associated with a respective tab and including a predefined set of parameters. The table is used to transform display of a parameter between display in tabular and graphical format “to modify and/or customize the images” using a “drag and drop” feature. In Schoenberg et al., the user views all of the data while deciding what they want displayed and view the data in at least one of the table/graph/table and graph layouts. Schoenberg et al. neither disclose nor suggest any of these features.

Moreover, Schoenberg et al. neither disclose nor suggest a customization menu including “a first window for displaying a list of user selected ones of said plurality of available medical parameters for display in a graphical format and a second window for displaying a list of user selected ones of said plurality of available medical parameters for display in a tabular format” as in the present claimed invention. As discussed above, Schoenberg neither disclose nor suggest “a single customization menu” let alone including first and second windows for displaying selected ones of said plurality of available medical parameters for display in graphical and tabular format, respectively.

Schoenberg et al. also neither disclose nor suggest that “a user is able to configure a user interface image display by selecting a first of said medical parameter labels from said menu for display exclusively in graphical format and a second of said medical parameter labels from said menu for display exclusively in tabular format” as in the present claimed invention. Although Schoenberg et al. in column 6, lines 38-41 describe the ability to view data in a table, graph or simultaneously in a table and graph. Schoenberg et al. provides predefined subsets of data for viewing by a user and allows a “drag and drop” feature to move data between display in a tabular and graphical format. Unlike the present claimed invention, Schoenberg et al. does not allow for a user “to configure a user interface image display by selecting a first medical parameter from a menu for display exclusively in graphical format and a second medical parameter from a menu for display exclusively in tabular format.”

Furthermore, contrary to the assertion in the Office Action, the icons on the menu bar in Schoenberg et al. described in column 7, lines 22-43 and in Figures 2A and 2B do not allow selection of elements. Rather, the “menu bar shows icons...which respectively offer the user a choice of one, two, three or four simultaneous displays” such as the four graphs shown in Figure 2B. This is wholly unlike the present claimed invention which includes “parameter selection icons enabling user selection of parameters from said available medical parameters for display in graphical and tabular format.” The cited passage of Schoenberg et al. is concerned with the format of the display as opposed to the present claimed invention which is concerned with the parameters being displayed.

In view of the above remarks, it is respectfully submitted that there is no 35 U.S.C. 112 compliant enabling disclosure in Schoenberg et al. showing the above discussed features. It is thus further respectfully submitted that claims 1 and 15 are not anticipated by Schoenberg et al. As claims 2-5 are dependent on claim 1, it is respectfully submitted

that these claims are also not anticipated by Schoenberg et al. It is thus, further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 6,7, 16 and 17 under 35 U.S.C. § 103(a)

Claims 6, 7, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenberg et al.

As discussed above in the arguments concerning the rejection of claims 1 and 15, Schoenberg et al. neither disclose nor suggest “a single customization menu enabling a user to select parameters for display in a first graphical format and in a second tabular format” as in the present claimed invention. Thus, Schoenberg et al. cannot disclose or suggest that the “single customization menu further comprises placement selection icons for re-ordering display of selected parameters” as claimed in claims 6 and 16 of the present claimed invention. Additionally, Schoenberg et al. cannot disclose or suggest that the “single customization menu further comprising category selection icons for re-ordering display of the available categories of medical parameters for user selection” as claimed in claims 7 and 17 of the present claimed invention.

In view of the above remarks, the amendments to claims 1 and 15 and the dependence of claims 6 and 7 on claim 1 and claims 16, and 17 on claim 15, it is respectfully submitted that claims 6, 7, 16, and 17 are patentable over Schoenberg et al. It is thus, further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 8 and 11-14 under 35 U.S.C. § 103 (a)

Claims 8 and 11-14 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Schoenberg and Schwuttke et al. (U.S. Patent No. 6,322,502).

Schwuttke et al. disclose a system for monitoring and analyzing data able to provide a three dimensional representation of complex data, data relationships and system status. Data of greater significance is displayed in the virtual space closer and larger than data of later significance. Tabular data is displayed upon selection of a displayed graphical parameter. The cited Figure 2 of Schwuttke et al. is a figure representative of the prior art which shows an output of a typical database monitoring system including both graphical and tabular data while Column 12, lines 14-25 of Schwuttke et al. discusses a cyberspace representation of a wide variety of applications in which varying data is monitored. The passage at column 10, line 65-column 11, line 9 is also cited to show data in the graphic and pop up text windows is user selectable. However, Schwuttke et al., similarly to Schoenberg et al., neither disclose nor suggest “a display menu generator for generating...a customization menu enabling user selection of a default set parameters from a plurality of available sets of default medical parameters and user modification of said default set of medical parameters” as in the present claimed invention. Nor does Schwuttke et al. (with Schoenberg et al.) disclose or suggest that the single customizable menu includes “a menu containing a set of medical parameter labels representing a corresponding plurality of available medical parameters” as in the present claimed invention. Additionally, Schwuttke et al., similarly to Schoenberg et al., neither disclose nor suggest “a first window for displaying user selected ones of said plurality of available medical parameters for display in a graphical format” and “a second window for displaying user selected ones of said plurality of available medical parameters for display in a tabular format. Furthermore, Schwuttke et al., similarly to Schoenberg et al., neither disclose nor suggest “parameter selection icons enabling user selection of medical parameter labels from said menu and display of said selected medical parameter labels in a selected one of said first and second windows, wherein a user is able to configure a user interface image display by selecting a first of said medical parameter labels from said menu for display exclusively in graphical format and a second of said medical parameter labels from said menu for display exclusively in tabular format” as in the present claimed invention.

It is also respectfully submitted that there is no reason or motivation to combine these two references as Schoenberg et al. are directed towards providing subsets of data regarding patient medical information to respective groups of users while Schwuttke et al. are concerned with generation of a three dimensional graphical display used to show relationships between data sets. These references are directed towards providing data in different configurations for different purposes. Schoenberg et al. provide data which is separated into predefined subsets for ease of use directed to the particular person viewing the data while Schwuttke et al. are concerned with three dimensional representations of complex data which provide visual attributes based upon the monitored values of the data to alert the viewer to certain conditions. Neither of these references are concerned with providing a user with a system for customizing the display of graphical and tabular data exclusively of one another as in the present claimed invention.

Additionally, even if there is some motivation to combine these two references, such a combination would produce a three dimensional cybergraph of medical data along with optional displays of tabular data, wherein data provided in the graphical and tabular displays being interrelated by clicking and dragging data between the tabular and graphical displays. This combination still neither discloses nor suggests the “customization menu enabling user selection of parameters for display in a first graphical format and in a second tabular format” including “parameter selection icons enabling user selection of medical parameter labels from said menu and display of said selected medical parameter labels in a selected one of said first and second windows, wherein a user is able to configure a user interface image display by selecting a first of said medical parameter labels from said menu for display exclusively in graphical format and a second of said medical parameter labels from said menu for display exclusively in tabular format” as in the present claimed invention. A combination of Schoenberg et al. and Schwuttke et al. also neither disclose nor suggest that “selection of said user selected parameter labels for display in tabular

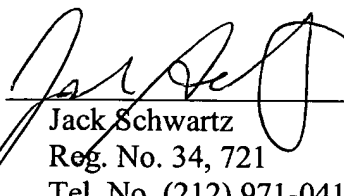
format is independent of selection of user selected parameter labels for display in graphical format” as in the present claimed invention.

In view of the above remarks it is respectfully submitted that Schoenberg et al. and Schwuttke et al., when taken alone or in combination provide no 35 USC 112 compliant enabling disclosure showing the above discussed features. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner’s rejections, it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant’s attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due with this response. However, if a fee is due, please charge the additional fee to Deposit Account 50-2828.

Respectfully submitted,
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